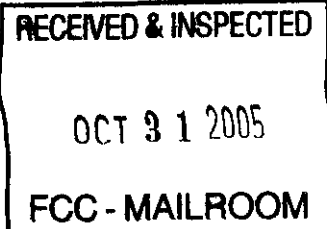


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In the Matter of
Amendment of Part 97 of the
Commission's Rules To Implement WRC-
03 Regulations Applicable to
Requirements for Operator Licenses in the
Amateur Radio Service

)
) WT Docket No. 05-235
)
) RM-10781, RM-10782, RM-10783, RM-
) 10784, RM-10785, RM-10786, RM-10787,
) RM-10805, RM-10806, RM-10807, RM-
) 10808, RM-10809, RM-10810, RM-
) 10811, RM-10867, RM- 10868, RM-
) 10869, RM-10870

To: Federal Communications Commission

Re: Comments in the Matter of Amendment of Part 97 of the Commission's Rules To Implement WRC-03 Regulations Applicable to Requirements for Operator Licenses in the Amateur Radio Service.

From: Chris Irwin
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To whom it may concern,

I appreciate the chance to comment on the proposed Amendment regarding the removal of the Morse code requirement.

In response to the FCC's request for public comments regarding updating of the requirements for licenses for ham radio operators I am filing the following comments. I am a law student at the University of Tennessee and I wish to communicate my views as a radio enthusiast and someone who is considering applying for a ham radio license. My father is a licenced ham radio operator who passed the Morse code requirement. From the reports and websites I have reviewed on the issue of the removal of the morse code requirement you have received many

comments, both positive and negative, as to the possibility of removing the morse code requirement for a license to operate a ham radio. I am writing in support of the complete elimination of Morse testing requirements from the FCC's rules. The FCC is doing a great job in proposing to remove the unnecessary requirement and is right on track. Removal of the outdated Morse testing requirement will expand "the existing reservoir of trained operators, technicians, and electronic experts."¹

Introduction and Background

A civilian ham radio network serves many valuable functions as evidenced by the recent Katrina disaster. Following Katrina ham radio operators played a key roll in establishing a communication network when the cell phone towers were destroyed and land line telephones did not work either:

"On Monday, Aug. 29, a call for help involving a combination of cell telephone calls and amateur radio led to the rescue of 15 people stranded by flood waters on the roof of a house in New Orleans. Unable to get through an overloaded 911 system, one of those stranded called a relative in Baton Rouge. That person called another relative, who called the local American Red Cross."²

"NEWINGTON, CT, Aug 31, 2005--UPDATED--Amateur Radio Emergency Service (ARES) volunteers in Louisiana are engaged in the Hurricane Katrina recovery effort, and more are waiting in the wings to help as soon as they can enter storm-ravaged zones. Winds and flooding from the huge storm wreaked havoc in Louisiana, Mississippi and Alabama after Katrina came ashore early Monday, August 29. Louisiana ARES Section Emergency Coordinator Gary Stratton, K5GLS, told ARRL that some 250 ARES members have been working with relief

¹ The Commission's regulation of the amateur service is based on the following principles: recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communications service; continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art; encouragement and improvement of the service through rules which provide for advancing skills in both the communication and technical phases of the radio art; **expansion of the existing reservoir of trained operators, technicians, and electronic experts**; and continuation and extension of the amateur's unique ability to enhance international goodwill. See 47 C.F.R. § 97.1(a)-(e).

² Ham radio operators to the rescue after Katrina Amateur radio networks help victims of the hurricane By Gary Krakow Columnist MSNBC

organizations and emergency management agencies. Much of the affected areas remain flooded and dangerous, however. As a result, state officials have not allowed emergency or other units to enter the flooded zones, and there is still no communication with many coastal areas.”³

Other examples of ham radio operators assisting during emergencies include the tornadoes in Illinois -- April 2004, the Amtrak train accident in Mississippi -- April 2004, the earthquake in Central California -- December 2003, Hurricane Isabel -- September 2003, the northeast blackout -- August 2003 and the Midwest tornadoes -- May 2003 to name a few.⁴

In today’s highly centralized communications systems ham radio operators provide a decentralized network which can provide essential communications backup in the event of failure of the more centralized networks. Ham radio operation is of strategic interest to our country.

Unfortunately public interest in the ham radio art is declining.⁵ In reality though the interest in ham radio operation itself may not be declining, but the interest in having to learn Morse code as a step to achieving a General Class operator that is the real problem. By removing the Morse obstacle to licensing, that serves no essential or legal function, more people will apply for ham radio licenses and more people will advance. Morse code is a needless obstacle to advancing to a General Class operators license and it is appropriate for it to be removed.

Additionally, through elimination the Morse Code testing requirement, it is much more likely that potential volunteers will have the ability to upgrade to a General Class license. This will provide a much greater pool of properly licensed operators from which to draw upon in times of natural and man made disasters. A larger pool of properly licensed operators will

³<http://www.arrl.org/news/stories/2005/08/30/1/?nc=1>

⁴<http://www.arrl.org/pio/emergen1.html>

⁵<http://ah0a.org/FCC/>

enhance the ability of the Amateur Radio Service to provide timely and efficient communications services. Removal of the morse code requirement will lead to "expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts."⁶

Morse Code is outdated

"Amateur radio is an aging hobby in the classes allowed to use the HF spectrum, specifically the phone portion of the band plan. When I attend DX related meetings, I am almost without fail the youngest person in the room, generally by many years. I am 38 years old. In order to continue our service to the nation and the world, it is imperative that we get some new blood into the hobby. The only way to do this is to either drastically reduce or eliminate the Morse requirement. Poll's and survey's continue to show that the Morse requirement is the primary barrier to entry into Amateur radio community, especially in the upper license classes that allow for more than line of sight communications."⁷

Morse code is over 170 years old and is obsolete in modern communications. Requiring applicants to be proficient in Morse code is the equivalent of requiring computer operators to be able to read and to program in the computer languages of Fortrans or Cobol, printing press operators to be able to use an offset printing press, or automobile drivers to be able to operate a horse and buggy. Like many technologies Morse code is no longer necessary due to the technological progress which has rendered it archaic. Requiring potential ham radio enthusiast to act as if they are Western Union telegraphers from the turn of the century serves no purpose. What the requirement does do it keep otherwise potential ham radio operators from advancing and increasing their commitment to ham radio.

⁶C.F.R. 97.1 (d)

⁷Robert Eugene Lentz, K5BL October 28, 1998

Morse Code is not an "Art"

Some commentators have argued that as part of the history of ham radio Morse code is part of the "art" of ham radio operation and as such should be kept, or enhanced, as a licensing requirement. But there is no evidence at all that Morse code in any way contributes to the art of amateur radio. The art of ham radio lies in the passion of the participants to explore and learn how the equipment operates and to use it properly. Morse code is not an "art" it is a...code. There is no variation in its use, you don't have new masterpieces produced, and it hasn't varied much in 100 years. The following is from an online dictionary⁸:

ART

1. The products of human creativity; works of art collectively; "an art exhibition"; "a fine collection of art".
2. The creation of beautiful or significant things; "a good example of modern art": "I was never any good at art".
3. A superior skill that you can learn by study and practice and observation; "the art of conversation"; "it's quite an art".
4. Photographs or other visual representations in a printed publication; "the publisher was responsible for all the artwork in the book".

Morse code is not an "art" and does not contribute to the "art" of ham radio operation.

Morse Code is an Obstacle

Removal of the requirement does not keep hams from learning and using Morse code. If anything the opposite, removal of the Morse code requirement will enable more operators to get

⁸

Source: [1WordNet 1.7.1](#) Copyright © 2001 by Princeton University

advanced licenses and increase commitment and interest of the general public to ham radio. As more people become interested there will be an increase in interest in the history of ham radio, and perhaps an increased interest in Morse code. Under the current application process potential hams are being turned away because they cannot meet the Morse requirement to advance.

Removing the Morse code requirement removes a needless obstacle to new hams wishing to progress to a General Class operators license. Removal of the requirement may actually increase the pool of people willing to learn Morse code out of interest after they advance past the initial licensing. As their interest grows, so does the likelihood of their further interest in other aspects of ham radio operation and its history. Removal of the code requirement will facilitate the "Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts."⁹

A brief survey of comments submitted on this issue reveals that engineers, teachers, students, and other people who otherwise would be interested in ham radio operation are not getting General licenses because of the Morse code requirement. This exclusion of otherwise competent ham radio operators from a General Class license on the basis of a 170 year old code serves no purpose in "Encouragement and improvement of the amateur service through rules which provide for advancing skills in both the communication and technical phases of the art."¹⁰ Removing the requirement will lift a barrier that keeps out otherwise competent hams from progressing and increasing their commitment to ham radio. Elimination of the code testing requirement for entry level licenses has brought new growth into the hobby at VHF frequencies,

⁹C.F.R. §97.1(d)

¹⁰C.F.R. §97.1(b)

and will also keep ham radio alive as it is expanded to HF frequencies as well.

If there had been no licensing requirement for ham radio operation and the FCC was starting the licensing of hams today Morse code would not even be discussed. A quick review of all the software and programs available to learn morse code is evidence of the difficulty potential ham radio operators face in meeting the Morse code requirement.¹¹

Morse Code is no longer useful for international communication

Some comments argue that Morse code is the only truly international communication medium available for hams to communicate across language barriers. This may of been historically true, but is no longer accurate today. Kenya, New Zealand, France, Iceland, Sweden, Austria, Hong Kong, Denmark, Croatia, Finland, and even Papua New Guinea have all dropped the Morse code requirement¹². Any international communications via ham radio between American and ham radio operators in these other countries utilizing Morse code will be on a voluntary basis. Requiring a Morse code examination for international communication when the international trend is to abandon the code serves no purpose, and keeping the requirement would not facilitate international communication.

Conclusion

Morse code is part of the history of ham radio. But the code has become an obstacle to the future of ham radio. Private organizations and clubs can still promote Morse code and require

¹¹<http://www.google.com/search?hl=en&lr=&q=morse+code+software&btnG=Search>

¹²<http://www.nocode.org/articles.html>

some proficiency in it for membership. Ham radio operators who wish to study Morse code have numerous resources available to them to do so. Removing the requirement will not spell the end of the code, but keeping it will damage ham radio.

Thank you for this opportunity to comment,

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